

**FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 21, 2003**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Katie Cox, Page.

Approval of Journal

February 21, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-sixth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

February 20, 2003

Mr. Speaker:

I return herewith enrolled **H 130** which has been signed by the President.

WOOD, Secretary

Enrolled **H 130** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 20, 2003

Mr. Speaker:

I transmit herewith **S 1047**, **S 1093**, and **S 1112** which have passed the Senate.

WOOD, Secretary

S 1047, **S 1093**, and **S 1112** were filed for first reading.

February 20, 2003

Mr. Speaker:

I return herewith **H 13**, as amended, which has passed the Senate.

WOOD, Secretary

H 13, as amended, was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 21, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 24**, **HJM 5**, **H 281**, **H 282**, **H 283**, **H 284**, **H 285**, **H 286**, **H 287**, **H 288**, and **H 289**.

FIELD(18), Chairman

HCR 24, **HJM 5**, and **H 282** were referred to the Transportation and Defense Committee.

H 281 and **H 289** were referred to the Business Committee.

H 283 was referred to the Agricultural Affairs Committee.

H 284 was referred to the Resources and Conservation Committee.

H 285, **H 286**, **H 287**, and **H 288** were referred to the Education Committee.

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1011** and **S 1052** and recommend that they do pass.

WOOD, Chairman

S 1011 and **S 1052** were filed for second reading.

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 64** and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

H 64 was placed on General Orders for consideration.

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 195** and **H 233** and recommend that they do pass.

BARRETT, Chairman

H 195 and **H 233** were filed for second reading.

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS, report that we have had under consideration **HCR 22** and recommend that it do pass.

BARRACLOUGH, Chairman

HCR 22 was filed for second reading.

February 20, 2003

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE,

report that we have had under consideration **H 203** and **H 202** and recommend that they do pass.

SALI, Chairman

H 203 and **H 202** were filed for second reading.

February 21, 2003

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 186** and recommend that it do pass.

TILMAN, Chairman

H 186 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE RESOLUTION NO. 2 BY STATE AFFAIRS COMMITTEE A HOUSE RESOLUTION

PROVIDING FOR THE AMENDMENT OF RULE 24 OF THE RULES OF THE HOUSE OF REPRESENTATIVES.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives deems it necessary and desirable to amend Rule 24 of the Rules of the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the First Regular Session of the Fifty-seventh Idaho Legislature, that Rule 24 of the Rules of the House of Representatives be amended to read as follows:

RULE 24

Bills---Introduction.--~~(1)~~ After the 20th day of any session, no bill shall be introduced except by committees and after the 36th day no bill shall be introduced except by the State Affairs Committee, the Appropriations Committee, the Education Committee, the Revenue and Taxation Committee and the Ways and Means Committee. When essential to expedite the work of the House, the Speaker may designate any standing committee to serve as a privileged committee temporarily or during the remainder of the session.

~~(2) Any member of the House is authorized to file, by mail or in person, bills and resolutions with the office of the Chief Clerk of the House during the first ten days of December. With the approval of the Speaker, the Chief Clerk shall receive such bills and resolutions, cause them to be placed in proper form, assign a number for introduction, cause them to be reproduced and delivered to every member of the Legislature, and provide for such other distribution as may be deemed necessary and desirable. The Speaker need not accept any bill or resolution that does not comply with the requirements of Joint Rule 18. On the first day of the next regular session, the Speaker shall assign the~~

~~prefiled bills to standing committees.~~

~~Upon prefiling, such bills and resolutions become the property of the House, and may not thereafter be withdrawn except pursuant to the rules of the House. Prefiled bills and resolutions shall be considered introduced, read for the first time, and printed on the first day of the next regular session, notwithstanding the provisions of Rule 43(1).~~

~~(3) A committee or a member, whether for prefiling or during a regular session, may indicate the officer, agency, association or person requesting introduction of a bill or resolution. The bill or resolution shall be identified by an endorsement immediately following its number as follows:~~

~~"By (insert the name of the committee or member) at the request of (insert the name of the officer, agency, association or person requesting that the bill or resolution be introduced)."~~

HR 2 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 290 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 67-5224, IDAHO CODE, TO PROVIDE THAT A PENDING RULE SHALL NOT BECOME EFFECTIVE UNTIL IT HAS BEEN APPROVED BY CONCURRENT RESOLUTION AND TO DELETE LANGUAGE THAT STATES THAT A PENDING RULE OR PORTION THEREOF IMPOSING A FEE OR CHARGE OF ANY KIND SHALL NOT BECOME FINAL AND EFFECTIVE UNTIL IT HAS BEEN APPROVED, AMENDED OR MODIFIED BY CONCURRENT RESOLUTION; AND AMENDING SECTION 67-5291, IDAHO CODE, TO PROVIDE THAT A CONCURRENT RESOLUTION MAY BE ADOPTED APPROVING A RULE OR RULES OR MAY BE ADOPTED REJECTING, AMENDING OR MODIFYING A RULE.

HOUSE BILL NO. 291 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO INITIATIVE AND REFERENDUM MEASURES; AMENDING SECTION 34-1809, IDAHO CODE, TO REVISE PROCEDURES FOR REVIEW OF INITIATIVE AND REFERENDUM MEASURES BY THE ATTORNEY GENERAL AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 34-1810, IDAHO CODE, TO PROVIDE THAT THE ELECTION BALLOT SHALL INCLUDE A CLEAR AND CONCISE STATEMENT AS TO THE EFFECT OF A "YES" OR "NO" VOTE, PREPARED JOINTLY BY THE ATTORNEY GENERAL AND SECRETARY OF STATE FOR INITIATIVE AND REFERENDUM MEASURES AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 292
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO LIMITATIONS ON SMOKING IN PUBLIC PLACES; AMENDING SECTION 39-5502, IDAHO CODE, TO FURTHER DEFINE TERMS; AND AMENDING SECTION 39-5503, IDAHO CODE, TO EXTEND THE PROHIBITION ON SMOKING TO PUBLICLY-OWNED BUILDINGS OR OFFICES.

H 290, **H 291**, and **H 292** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1047, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

S 1093, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1112, by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 187 and **H 188**, by Education Committee, were read the second time by title and filed for third reading.

H 171, **H 71**, as amended, and **H 169**, as amended, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

HJM 3, by Business Committee, was read the second time by title and filed for third reading.

HJM 2 and **H 125**, as amended, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

H 253, by State Affairs Committee, was read the second time by title and filed for third reading.

H 76, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 62, as amended, by Mr. Speaker, requested by Department of Insurance, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Stevenson asked unanimous consent that **H 174** be placed on General Orders for consideration. There being no

objection, it was so ordered.

Mrs. Barrett asked unanimous consent that **H 256** and **H 257** be placed on General Orders for consideration. There being no objection, it was so ordered.

H 162 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson and Mr. Deal to open debate.

The question being, "Shall **H 162** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Edmunson, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Saylor, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 53.

NAYS -- Barrett, Bradford, Campbell, Clark, Crow, Eberle, Ellsworth, Eskridge, Harwood, Kulczyk, McGeachin, McKague, Moyle, Roberts, Sali, Smith(24), Wood. Total -- 17.

Total -- 70.

Whereupon the Speaker declared **H 162** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 164 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 164** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Saylor, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Eberle. Total -- 1.

Absent and excused -- Black, Deal. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 164** passed the House. Title was approved and the bill was ordered transmitted to the

Senate.

Mr. Denney asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

H 165 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Langhorst to open debate.

The question being, "Shall **H 165** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Deal, Jones, Naccarato. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 165** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 166 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 166** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Naccarato. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 166** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 19 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **H 19** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Kulczyk. Total -- 1.

Absent and excused -- Crow, Naccarato. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 19** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 20 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Martinez to open debate.

The question being, "Shall **H 20** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Naccarato, Stevenson. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 20** passed the House. Title was approved and the bill was ordered transmitted to the

Senate.

H 21 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 21** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bell, Crow, Naccarato. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 21** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

HCR 23 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **HCR 23** be adopted?"

Whereupon the Speaker declared **HCR 23** adopted by voice vote and ordered the resolution transmitted to the Senate.

H 225 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 225** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen,

Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 225** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 124 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **H 124** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 124** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 208 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 208** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Cuddy. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 208** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 123 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andersen and Mrs. Smith(30) to open debate.

The question being, "Shall **H 123** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- Ring. Total -- 1.

Absent and excused -- McKague. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 123** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 216 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **H 216** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- McKague. Total -- 1.

Absent and excused -- Kulczyk, Lake, Ridinger, Stevenson, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 216** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 247 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 247** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Lake, Mitchell, Naccarato, Stevenson. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 247** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 32 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **H 32** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Langhorst, Martinez, McGeachin, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Kulczyk, Langford, McKague, Wood. Total -- 5.

Absent and excused -- Gagner, Lake, Mitchell, Naccarato, Stevenson. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 32** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 143 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open

debate.

The question being, "Shall **H 143** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Langhorst, Martinez, McGeachin, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Salyer, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Mr. Speaker. Total -- 59.

NAYS -- Barrett, Langford, McKague, Sali, Wood. Total -- 5.

Absent and excused -- Campbell, Jaquet, Lake, Mitchell, Naccarato, Stevenson. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 143** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 177 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Tilman to open debate.

The question being, "Shall **H 177** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Roberts, Robison, Sali, Schaefer(Schaefer), Shepherd, Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Ringo, Rydalch, Salyer, Skippen. Total -- 4.

Absent and excused -- Campbell, Lake, Mitchell, Naccarato, Stevenson. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 177** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 223 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Langford to open debate.

The question being, "Shall **H 223** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Salyer, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Block, Campbell, Jones, Mitchell, Naccarato, Smith(24), Stevenson. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 223** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 184 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 184** pass?"

Roll call resulted as follows:

AYES -- Andersen, Bauer, Bell, Boe, Bolz, Bradford, Deal, Douglas, Edmunson, Garrett, Jones, Langford, Martinez, Meyer, Ridinger, Ring, Ringo, Rydalch, Salyer, Shepherd, Skippen, Smith(30), Smylie, Trail. Total -- 24.

NAYS -- Barraclough, Barrett, Bedke, Bieter, Black, Block, Cannon, Clark, Collins, Crow, Cuddy, Denney, Eberle, Ellsworth, Eskridge, Field(18), Gagner, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langhorst, McGeachin, McKague, Miller, Moyle, Nielsen, Raybould, Roberts, Sali, Schaefer(Schaefer), Shirley, Smith(24), Snodgrass, Tilman, Wills, Wood, Mr. Speaker. Total -- 40.

Absent and excused -- Campbell, Field(23), Mitchell, Naccarato, Robison, Stevenson. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 184** failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

Mr. Jones asked unanimous consent that **H 155** and **H 156** retain their places on the Third Reading Calendar until Friday, February 28, 2003. There being no objection, it was so ordered.

H 185 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 185** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Roberts, Rydalch, Sali, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 59.

NAYS -- Andersen, Douglas, Ringo, Sayler. Total -- 4.

Absent and excused -- Campbell, Field(18), Field(23), Mitchell, Naccarato, Robison, Stevenson. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 185** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 255 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Tilman to open debate.

The question being, "Shall **H 255** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer(Schaefer), Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Campbell, Field(18), Mitchell, Naccarato, Robison, Smith(24), Stevenson. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 255** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 24, 2003. There being no objection, it was so ordered.

There being no objection, the House returned to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 293 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO APPROPRIATIONS; PROVIDING LEGISLATIVE INTENT; TO PROVIDE A REDUCTION IN THE APPROPRIATIONS TO THE VARIOUS STATE AGENCIES, INSTITUTIONS AND ENTITIES, FOR FISCAL YEAR 2003; PROVIDING THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL DIRECT THE STATE CONTROLLER TO REDUCE THE FUNDS TRANSFER TO THE LEGISLATIVE FUND; EXPRESSING LEGISLATIVE INTENT REGARDING PUBLIC SCHOOLS; EXPRESSING LEGISLATIVE INTENT REGARDING REDIRECTING SAVINGS IN HEALTH AND WELFARE; EXPRESSING LEGISLATIVE INTENT REGARDING FUTURE REDUCTIONS; AND DECLARING AN EMERGENCY.

H 293 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

February 21, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 293**.

FIELD(18), Chairman

H 293 was filed for second reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:45 a.m., Monday, February 24, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:10 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk